



PATENT APPLICATION

042390.P12397

#7
11-7-02
J. Carter

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) October 16, 2002
)
Eleanor P. Rabadam)
)
Serial No.: 10/039,454) Group Art Unit: 2818
)
Filed: December 28, 2001) Examiner: T. Nguyen

For: **PACKAGE FOR A NON-VOLATILE MEMORY DEVICE INCLUDING INTEGRATED PASSIVE DEVICES AND METHOD FOR MAKING THE SAME**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE,
WASHINGTON, D.C. 20231, ON: 10.16.02
Date of Deposit

INTEL CORPORATION
Name of Assignee

[Signature]
SIGNATURE

10.16.02
DATE

RESPONSE

HONORABLE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE,
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed September 16, 2002, please reconsider the above-identified patent application in view of the remarks below. Applicants would like to thank the Examiner for the efforts in identifying issues with this application.

Applicants believe the following is a complete response to the issues raised by the Examiner.

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Response to Restriction Requirement

The Office Action indicated that restriction between Group 1, claims 1-13, and Group II, claims 14-21, was required. Applicants respectfully traverse the requirement for restriction for the following reasons.

It appears that the restriction requirement is required because the product of the Group I invention can be made by a process materially different than that of the Group II process. For example, it was alleged that the product as claimed can be made by another and materially different process such as those recited in paragraph 4 of the Office Action. However, it is respectfully pointed out that the suggested processes do not establish that the restriction is proper because the suggested process is included within the scope of the process recited in Applicants' claim 13.

Claim 13 merely recites forming a substrate. It does not include any limitation that requires forming using a particular technique. Applicants respectfully point out that it is well understood that the scope of the claims is not limited to the embodiments discussed in the detailed description and not limited to that which is shown in the figures.

Applicants respectfully submit that the processes suggested in the Office action are included within the scope of claim 13, and consequently, the process suggested in the Office action is not a "materially different" process for making the product as claimed. Therefore, the guidelines set out in MPEP § 806.05(f) have not been complied with for a proper restriction requirement.

Accordingly, Applicants traverse the requirement for restriction as being improper and request reconsideration. A provisional election of the claims of group I is hereby made as required by 37 CFR 51.143.

Conclusion

The foregoing is submitted as a full and complete response to the Office Action mailed September 16, 2002. Allowance of claims 1-21 is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666.

If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 554-9732 is respectfully solicited.

Respectfully submitted,

Eleanor P. Rabadam et al.



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Dated: 10-16-02

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